



Browser/ Web browser	'774 Patent, Cl. 1 '936 Patent, Cl. 17	A computer application for browsing a network, such as the internet
Message	'774 Patent, Cl. 1	An electronic notice
Message address	'774 Patent, Cl. 1	An electronic address used to send a message
Client computer	'936 Patent, Cl. 1, 4	A computer in communication with the server
Process/ Process the electronic image data	'936 Patent, Cl. 1, 6	Manipulate the electronic image data
Generate	'936 Patent, Cl. 1	Create
Associate/Associating	'936 Patent, Cl. 1, 4, 17	Relate/Relating
Network adapter for interfacing to a network	'936 Patent, Cl. 5	Plain and ordinary meaning
Network adapter	'936 Patent, Cl. 5	Plain and ordinary meaning
Role / Roles	'231 Patent, Cl. 1, 2, 3, 17, 18, 19	An intermediary designation that brings together users and permissions
Particular user	'231 Patent, Cl. 1, 17	A user who may be authenticated

The Parties agree that after the Court construes the disputed terms, the following terms have plain and ordinary meaning in light of the construed and agreed upon terms:

<b>Term</b>	<b>Claim</b>	<b>Agreed Construction</b>
Transferring a file containing the image data from a second computer	'774 Patent, Cl. 4	Plain and ordinary meaning in light of the construed and agreed upon terms
Allowing a user of the client computer to upload to the server a digital image	'936 Patent, Cl. 8	Plain and ordinary meaning in light of the construed and agreed upon terms

**B. EACH PARTY'S PROPOSED CONSTRUCTION OF EACH DISPUTED CLAIM TERM, PHRASE, OR CLAUSE, TOGETHER WITH AN IDENTIFICATION OF INTRINSIC AND OTHER EVIDENCE**

Exhibit A, attached hereto, identify the disputed claim terms. Exhibit A contains FotoMedia's and Defendants' proposed constructions for each disputed claim term and intrinsic and other evidence supporting their proposed constructions.

**C. THE ANTICIPATED LENGTH OF TIME NECESSARY FOR THE CLAIM CONSTRUCTION HEARING**

The Parties anticipate that the Claim Construction Hearing will take no longer than four hours, two hours per side.

**D. POSSIBLE WITNESSES AT THE CLAIM CONSTRUCTION HEARING**

In accordance with P.R. 4-3(d), Defendants and FotoMedia do not plan on presenting any witnesses during the claim construction hearing.

Dated: January 25, 2010

Respectfully submitted,

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/s/ Robert G. Graham

Robert G. Graham  
[grahamr@wardolivo.com](mailto:grahamr@wardolivo.com)  
David M. Hill  
[hilld@wardolivo.com](mailto:hilld@wardolivo.com)  
John F. Ward  
[wardj@wardolivo.com](mailto:wardj@wardolivo.com)  
**Ward & Olivo**  
380 Madison Avenue

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/s/ M. Craig Tyler

M. Craig Tyler  
[ctyler@wsgr.com](mailto:ctyler@wsgr.com)  
Luiz Von Paumgarten  
[lvonpaumgarten@wsgr.com](mailto:lvonpaumgarten@wsgr.com)  
Brian A. Dietzel  
[bdietzel@wsgr.com](mailto:bdietzel@wsgr.com)  
Aden M. Allen  
[aallen@wsgr.com](mailto:aallen@wsgr.com)

New York, NY 10017  
212-697-6262  
212-972-5866 (fax)

Leslie D. Ware  
[lware@thewarefirm.com](mailto:lware@thewarefirm.com)  
State Bar No. 00785179  
Eric S. Tautfest  
[etautfest@thewarefirm.com](mailto:etautfest@thewarefirm.com)  
State Bar No. 24028534  
**THE WARE FIRM**  
2101 Cedar Springs Road  
Suite 1900  
Dallas, Texas 75201  
214-744-5000

Samuel Franklin Baxter  
[sbaxter@mckoolsmith.com](mailto:sbaxter@mckoolsmith.com)  
Lead Attorney  
**McKool Smith - Marshall**  
P O Box O  
104 East Houston St., Suite 300  
Marshall, TX 75670  
903/923-9000  
903-923-9099 (fax)

*Attorneys for Plaintiff FotoMedia  
Technologies, LLC*

**Wilson Sonsini Goodrick & Rosati PC**  
900 South Capital of Texas Highway  
Las Cimas IV, Fifth Floor  
Austin, TX 78746-5546  
512-338-5400  
512-338-5499 (fax)

*Attorneys for Defendant Zazzle.com, Inc.*

/s/ Robert J. Fluskey  
Robert J. Fluskey  
**Hodgson Russ, LLP**  
140 Pearl Street, Suite 100  
Buffalo, NY 14202  
[rfluskey@hodgsonruss.com](mailto:rfluskey@hodgsonruss.com)  
716-856-4000

*Attorney for Qualgaurd, Inc.*

/s/ Douglas Ray McSwane, Jr  
Douglas Ray McSwane, Jr  
Potter Minton  
P.O. Box 359  
Tyler, TX 75710  
[dougmcswane@potterminton.com](mailto:dougmcswane@potterminton.com)  
903-597-8311  
903-593-0846 (fax)

*Attorney for, Scripps Network, LLC, Incando Corp.,  
and Qualguard, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this the 25<sup>th</sup> day of January, 2010. Any other counsel of record will be served by first class U.S. mail on the same date.

/S/M. Craig Tyler  
M. Craig Tyler